

CHAPTER 101
LICENSURE OF FUNERAL DIRECTORS

[Prior to 9/21/88, see Health Department[470] Ch 147]
[Prior to 7/10/02, see 645—100.9(156) and 645—100.10(156)]

645—101.1(156) Definitions. For purposes of these rules, the following definitions shall apply:

“*Board*” means the board of mortuary science examiners.

“*Lapsed license*” means a license that a person has failed to renew as required or the license of a person who failed to meet stated obligations for renewal within a stated time.

“*Licensee*” means any person licensed to practice as a funeral director in the state of Iowa.

“*License expiration date*” means the fifteenth day of the birth month every two years following initial licensure.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice mortuary science to an applicant who is currently licensed in another state.

“*Reciprocal license*” means the issuance of an Iowa license to practice mortuary science to an applicant who is currently licensed in another state which has a mutual agreement with the Iowa board of mortuary science examiners to license persons who have the same or similar qualifications to those required in Iowa.

645—101.2(156) Requirements for licensure. The following criteria shall apply to licensure:

101.2(1) The applicant shall complete a board-approved application packet. Application forms may be obtained from the board’s Web site (<http://www.idph.state.ia.us/licensure>) or directly from the board office. All applications shall be sent to Board of Mortuary Science Examiners, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.

101.2(2) The applicant shall complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the board.

101.2(3) Each application shall be accompanied by the appropriate fees payable by check or money order to the Board of Mortuary Science Examiners. The fees are nonrefundable.

101.2(4) No application will be considered by the board until official copies of academic transcripts showing the completion of training in a college of mortuary science approved by the Iowa board of mortuary science examiners have been sent directly from the school to the board.

101.2(5) Licensees who were issued their initial licenses within six months prior to the renewal shall not be required to renew their licenses until the renewal month two years later.

101.2(6) Incomplete applications that have been on file in the board office for more than two years shall be:

- a. Considered invalid and shall be destroyed; or
- b. Maintained upon written request of the candidate. The candidate is responsible for requesting that the file be maintained.

645—101.3(156) Educational qualifications.

101.3(1) The applicant shall be issued a license to practice mortuary science by the board when the applicant has successfully completed:

a. A minimum of 60 hours as indicated on the transcript from a regionally accredited college or university with a minimum of a 2.0 or “C” grade point average. The 60 semester hours shall not include any technical mortuary science courses; and

b. A program in mortuary science from a school accredited by the American Board of Funeral Service Education.

101.3(2) Foreign-trained funeral directors shall:

- a. Provide an equivalency evaluation of their educational credentials by International Educational Research Foundations, Inc., Credentials Evaluation Service, P.O. Box 3665, Culver City, CA 90231-3665, telephone (310)258-9451, Web site www.ierf.org, or E-mail at info@ierf.org. The professional curriculum must be equivalent to that stated in these rules. A candidate shall bear the expense of the curriculum evaluation.
- b. Provide a notarized copy of the certificate or diploma awarded to the applicant from a mortuary science program in the country in which the applicant was educated.
- c. Receive a final determination from the board regarding the application for licensure.

645—101.4(156) Examination requirements.

101.4(1) The board shall accept a certificate of examination issued by the International Conference of Funeral Service Examining Boards, Inc., indicating a passing score on the examination.

101.4(2) Applicants shall be required to pass an examination covering the Iowa law and rules for mortuary science prior to being licensed in Iowa. A 75 percent score shall be required for passing of this examination.

645—101.5(147,156) Internship and preceptorship.**101.5(1) Internship.**

a. The intern must serve a minimum of one year of internship in Iowa under the direct supervision of a board-certified preceptor. The beginning and ending dates of the internship shall be indicated on the internship certificate. The intern shall engage in the practice of mortuary science only during the time indicated on the internship certificate. The intern must be approved and licensed following a successful internship before the intern may practice mortuary science.

b. The intern shall, during this internship, embalm not fewer than 25 human remains and direct or assist in the direction of not fewer than 25 funerals under the direct supervision of the certified preceptor and report on forms furnished by the department of public health. Work on the first 5 embalming cases and funeral cases must be completed in the physical presence of the preceptor. The first 12 embalming cases and first 12 funeral case reports must be completed and submitted by the completion of the sixth month of the internship.

c. Before being eligible for licensure, the intern must have filed the 25 completed embalming and funeral directing case reports and a 6-month and a 12-month evaluation form with the department of public health.

d. No licensed funeral director shall permit any person in the funeral director's employ or under the funeral director's supervision or control to serve an internship in funeral directing unless that person has a certificate of registration as a registered intern from the department of public health.

e. No licensed funeral director or licensed funeral establishment shall have more than one intern funeral director for the first 100 human remains embalmed or funerals conducted per year, and with a maximum of two interns per funeral establishment.

f. Registered interns shall not advertise or hold themselves out as funeral directors or use the degree F.D. or any other title or abbreviation indicating that the intern is a funeral director.

g. The length of an internship may be extended if the board determines that the intern requires additional time or supervision in order to meet the minimum proficiency in the practice of mortuary science.

h. Every person who is registered as an intern or as a preceptor with the department of public health shall have a registration certificate posted in a conspicuous place in the preceptor's place of business.

i. Internship begins upon approval and due notification by the board. Application for change of preceptor or any other alteration must be made in writing and approval granted by the board before the status of the intern is altered.

j. When, for any valid reason, the board determines that the education of a registered intern which is being received under the supervision of the present preceptor might be detrimental to the intern or the profession at large, the intern may be required to serve the remainder of the internship under the supervision of a licensed funeral director who meets the approval of the board.

k. The intern shall complete a confidential evaluation of the preceptorship program at the end of the internship on a form provided by the board. This form shall be submitted before the funeral director's license is issued to the intern.

l. The intern shall, during the internship, be a full-time employee with the funeral establishment at the site of internship.

101.5(2) Preceptorship.

a. A preceptor must have a valid preceptor certificate. A preceptor must have completed a training course within five years prior to accepting an intern. If the certification is older than five years, the funeral director must recertify as specified by the board.

b. Any duly Iowa licensed and practicing funeral director in good standing for a minimum of five years with the board of mortuary science examiners will be eligible to be certified as a preceptor. This certificate is awarded after completion of a training course as prescribed by the board that covers the subjects specified by the board. The training course may be counted toward the continuing education hours required for that licensing period.

c. A preceptor shall be affiliated with a funeral home that has been in good standing with the board of mortuary science examiners for a minimum of five years.

d. The preceptor is required to file a six-month progress report of the intern on a board-prescribed form. This form is to be signed by the preceptor and the intern before submission to the board by the end of the seventh month.

e. The preceptor shall certify that the intern engages in the practice of mortuary science only during the time frame designated on the official intern certificate.

f. A preceptor's duties shall include the following:

- (1) Be physically present and supervise the first five embalmings and first five funeral cases;
- (2) Familiarize the intern in the areas specified by the preceptor training outline;
- (3) Read and sign each of the 25 embalming reports and the 25 funeral directing reports completed by the intern;
- (4) Complete a written six-month report of the intern on a form provided by the board. This report is to be reviewed with and signed by the intern and submitted to the board before the end of the seventh month; and

(5) At the end of the internship, complete a confidential evaluation of the intern on a form provided by the board. This evaluation shall be submitted within two weeks of the end of the internship.

g. Failure of a preceptor to fulfill the requirements set forth by the board, including failure to remit the required six-month progress report, as well as the final evaluation, shall result in an investigation of the preceptor by the board.

h. If a preceptor does not serve the entire year, the board will evaluate the situation; and if a certified preceptor is not available, a licensed funeral director may serve with the approval of the board.

i. In the absence of the preceptor for an extended period of time, such as for vacation or illness, an Iowa licensed funeral director must be available to act as backup for the preceptor and be available for the intern. The name, address and telephone number of the Iowa licensed funeral director must be provided on the internship application.

645—101.6(156) Student practicum.

101.6(1) Application. The applicant shall:

- a. Apply to the board for a student practicum on forms provided by the board;
- b. Request a letter that shall be sent directly from the student's school, accredited by and in good standing with the American Board of Funeral Service Education, to the board regarding the student's current status and length of practicum; and
- c. Pay the fee for student practicum as listed in 645—104.1(147,156).

101.6(2) A licensed funeral director shall not permit any person in the funeral director's employ or under the funeral director's supervision or control to serve a student practicum in funeral directing unless that person has a certificate of practicum approved by the board of mortuary science examiners as an Iowa registered practicum student.

101.6(3) Every person who is registered for a student practicum with the board of mortuary science examiners shall have a registration certificate posted in a conspicuous public place in the practicum student's site of practicum.

101.6(4) The practicum student shall serve the practicum in Iowa in an Iowa licensed funeral establishment under the direct physical supervision of the assigned practicum supervisor who is currently a preceptor. The preceptor shall meet the criteria stated in 101.5(2).

101.6(5) Neither a licensed funeral director nor a licensed funeral establishment shall have more than one practicum student for the first 100 human remains embalmed or funerals conducted per year, and with a maximum of two practicum students per funeral establishment.

101.6(6) Practicum students shall not advertise or present themselves as funeral directors.

101.6(7) The student practicum begins upon approval and due notification by the board. The board shall be notified in writing of any change of practicum supervisor or any other alteration, and approval shall be granted by the board before the status of the student practicum is altered.

101.6(8) The length of the student practicum shall be determined by the student's school.

101.6(9) The practicum student may, during the practicum, embalm human remains in the physical presence of the practicum supervisor and direct or assist in directing funerals under the direct supervision of the practicum supervisor.

645—101.7(156) Funeral establishment license or cremation establishment license or both establishment licenses.

101.7(1) Any person or any corporation, partnership, joint venture, voluntary organization or any other entity doing business in this state may erect, maintain, and operate a funeral establishment, cremation establishment, or both establishments, provided the necessary appliances and facilities for the care, preparation and disposition of human remains are in place. An establishment license must be obtained and maintained. The establishment license is not transferable. Any change from the original application requires that a new application be filed and a new license be issued.

101.7(2) A funeral establishment, cremation establishment, or both establishments shall be subject to applicable local, state and federal health and environmental requirements and shall obtain all necessary licenses and permits from the agencies with jurisdiction.

101.7(3) License application. An application for a funeral establishment license, cremation establishment license, or both establishment licenses shall be in writing on forms furnished by the board and accompanied by the funeral establishment fee. The application shall contain all of the following:

- a. Name and address of the business of applicant.
- b. Address of the personal residence of applicant.
- c. Name and address of every owner (partner, director, officer, shareholder with greater than 25 percent of stock).

- d. Name and address of the establishment.
- e. Signature of responsible authority at the site of the establishment.
- f. Names and license numbers of all funeral directors employed by the establishment.
- g. Further information that the board reasonably may require.

645—101.8(156) Licensure by endorsement. An applicant who has been a licensed funeral director under the laws of another jurisdiction shall file an application for licensure by endorsement with the board office. The board may receive by endorsement any applicant from the District of Columbia or another state, territory, province or foreign country who:

- 101.8(1)** Submits to the board a completed application;
- 101.8(2)** Pays the licensure fee;
- 101.8(3)** Shows evidence of licensure requirements that are similar to those required in Iowa;
- 101.8(4)** Provides official copies of the academic transcripts showing the completion of a mortuary science program accredited by the American Board of Funeral Service Education;
- 101.8(5)** Provides official transcript of grades showing 60 semester hours from a regionally accredited college or university with a minimum of a 2.0 or “C” grade point average;
- 101.8(6)** Successful passage of the Iowa law and rules examination with a score of at least 75 percent;
- 101.8(7)** Furnishes certified evidence of two or more years of actual practice as a licensed funeral director in the state from which the applicant desires to endorse;
- 101.8(8)** Was issued the initial license by endorsement within six months of the birth month and will not be required to renew the license until the fifteenth day of the birth month two years later. The new licensee is exempt from meeting the continuing education requirement for the continuing education biennium in which the license was originally issued;
- 101.8(9)** Holds an original license in good standing obtained upon examination in the state from which the endorsement was received. The examination shall have covered substantially the same subjects in which an examination is required in Iowa, showing that the applicant has attained a passing grade. Applicants licensed before 1980 are exempt from showing a passing grade on the national board examination. The applicant shall have met the educational requirements of the state of Iowa for a funeral director; and
- 101.8(10)** Provides verification of licensure from all other states in which the applicant has a current active license sent directly from those states to the board office.

645—101.9(156) Licensure by reciprocal agreement. The board may enter into a reciprocal agreement with the District of Columbia or any state, territory, province or foreign country with equal or similar requirements for licensure of funeral directors. The applicant shall take the examination required by the board.

645—101.10(156) License renewal.

101.10(1) The biennial license renewal period for a license to practice funeral directing shall begin on the sixteenth day of the licensee’s birth month and end on the fifteenth day of the licensee’s birth month two years later. All licensees shall renew on a biennial basis.

101.10(2) A renewal of license application and continuing education report form to practice funeral directing shall be mailed to the licensee at least 60 days prior to the expiration of the license. Failure to receive the renewal application shall not relieve the license holder of the obligation to pay the biennial renewal fee(s) on or before the renewal date.

a. The licensee shall submit the completed application and continuing education report form with the renewal fee(s) to the board office before the license expiration date.

b. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used. The new licensee will be required to complete a minimum of 24 hours of continuing education per biennium for each subsequent license renewal.

c. Licensees who were issued their initial license within six months of their birth month will not be required to renew their license until the fifteenth day of their birth month two years later.

d. Persons licensed to practice funeral directing shall keep their renewal licenses displayed in a conspicuous public place at the primary site of practice.

101.10(3) Late renewal. If the renewal fees, continuing education report and renewal application are received within 30 days after the license renewal expiration date, the late fee for failure to renew before expiration shall be charged.

101.10(4) When all requirements for license renewal are met, the licensee shall be sent a license renewal card by regular mail.

645—101.11(272C) Renewal of a funeral establishment license or cremation establishment license or both establishment licenses.

101.11(1) The renewal cycle shall be triennial beginning July 1 and ending on June 30 of the third year. The renewal shall be:

- a. Submitted on a form provided by the board; and
- b. Accompanied by the renewal fee.

101.11(2) A renewal of license application shall be mailed at least 60 days prior to the expiration of the license. Failure to receive the notice shall not relieve the license holder of the obligation to pay triennial renewal fees on or before the renewal date.

101.11(3) Funeral and cremation establishments shall keep their renewal licenses displayed in a conspicuous public place at the primary site of practice.

101.11(4) Late renewal. If the renewal fee and renewal application are received within 30 days after the license renewal expiration date, the late fee for failure to renew before expiration shall be charged.

101.11(5) When all requirements for license renewal are met, the licensee shall be sent a license renewal card by regular mail.

645—101.12(272C) Exemptions for inactive practitioners.

101.12(1) A licensee who is not engaged in practice in the state of Iowa may be granted a waiver of compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in the practice in the state of Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted by the license expiration date upon the form provided by the board. A licensee must hold a current license to apply for exempt status. The licensee shall apply for inactive status prior to the license expiration date.

101.12(2) Reinstatement of exempted, inactive practitioners. Inactive practitioners who have requested and been granted a waiver of compliance with the renewal requirements and who have obtained a certificate of exemption shall, prior to engaging in the practice of the profession in Iowa, satisfy the requirements for reinstatement as outlined in 645—102.10(272C).

101.12(3) Licensees shall renew at the next scheduled renewal. Licensees who were issued their reinstatements within six months prior to the birth month renewal date will not be required to renew their licenses until the birth month renewal two years later.

101.12(4) A new licensee who is on inactive status during the initial license renewal time period and reinstates before the first license expiration date will not be required to complete continuing education for that first license renewal time period only. Twenty-four hours of continuing education will be required for every renewal thereafter.

101.12(5) Verification of license(s) is required from all states in which the licensee has practiced since the Iowa license became inactive.

101.12(6) Reinstatement of inactive license after exemption. The following chart illustrates the requirements for reinstatement of an inactive license.

An applicant shall satisfy the following requirements:	
Submit written application for reinstatement to the board	Required
Pay the current renewal fee	\$100
Pay the examination fee	\$50
Pay the reinstatement fee	\$50
Submit license verification(s) from all states in which the licensee has practiced since obtaining inactive status	Required
Furnish evidence of completion of board-approved continuing education hours	24 hours
OR	
Furnish evidence of completion of continuing education hours equivalent to those required in Iowa if currently licensed in another state of the United States or the District of Columbia	24 hours
Furnish evidence of successful completion, with a passing grade of 75 percent, of the state law and rules examination conducted within one year immediately prior to submission of application for reinstatement	Successful completion
Total fees and continuing education hours required for reinstatement:	\$200 and 24 hours

645—101.13(272C) Lapsed licenses.

101.13(1) If the renewal fee(s) and continuing education report are received more than 30 days after the license expiration date, the license is lapsed. An application for reinstatement must be filed with the board and be accompanied by the reinstatement fee, the renewal fee(s) for each biennium the license is lapsed and the late fee for failure to renew before expiration. The licensee may be subject to an audit of the licensee’s continuing education report.

101.13(2) A licensee who has not fulfilled the requirements for license renewal or for an exemption in the required time frame will have a lapsed license and shall not engage in the practice of funeral directing. Practicing without a license may be cause for disciplinary action.

101.13(3) In order to reinstate a lapsed license, a licensee shall comply with all requirements for reinstatement as outlined in 645—102.6(156).

101.13(4) After the reinstatement of a lapsed license, the licensee shall renew at the next scheduled renewal cycle and complete the continuing education required for the biennium.

101.13(5) Verification of license(s) is required from all states in which the licensee has practiced since the Iowa license lapsed.

101.13(6) Reinstatement of a lapsed license. The following chart illustrates the requirements for reinstatement based on the length of time a license has lapsed.

An applicant shall satisfy the following requirements:	30 days after expiration date up to 1 renewal	2 renewals	3 renewals	4 or more renewals
Submit written application for reinstatement	Required	Required	Required	Required
Pay the renewal fee(s)	\$100	\$200	\$300	\$400
Pay the examination fee	\$50	\$50	\$50	\$50
Pay the late fee	\$50	\$50	\$50	\$50
Pay the reinstatement fee	\$50	\$50	\$50	\$50
Furnish verification(s) of licensure from all states in which the licensee has practiced since the Iowa license lapsed	Required	Required	Required	Required
Furnish evidence of completion of continuing education requirements during the period since the license lapsed	24 hours	48 hours	72 hours	72 hours
OR Furnish evidence of completion of continuing education hours equivalent to those required in Iowa if currently licensed in another state of the United States or the District of Columbia	24 hours	48 hours	72 hours	72 hours
Successfully pass the state law and rules examination with a score of at least 75 percent	Successful completion	Successful completion	Successful completion	Successful completion
Total fees and continuing education hours required for reinstatement:	\$250 and 24 hours	\$350 and 48 hours	\$450 and 72 hours	\$550 and 72 hours

645—101.14(272C) Reinstatement of a funeral establishment license or a cremation establishment license or both establishment licenses.

101.14(1) If the renewal fees are received more than 30 days after the expiration of the license, the license is lapsed. A licensee who allows the license to lapse cannot engage in business in Iowa without first complying with all the regulations governing reinstatement as outlined in the board rules. A license holder who allows the license to lapse must apply for reinstatement of the license.

- 101.14(2)** Reinstatement of the lapsed license may be granted by the board if the applicant:
- a. Submits a written application for reinstatement of the funeral establishment or cremation establishment license to the board;
 - b. Pays the late fee for failure to renew;
 - c. Pays the reinstatement fee; and
 - d. Pays the renewal fee(s).

645—101.15(17A,147,272C) License denial.

101.15(1) An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a notice of appeal and request for hearing upon the board not more than 30 days following the date of mailing of the notification of licensure denial to the applicant. The request for hearing as outlined in these rules shall specifically describe the facts to be contested and determined at the hearing.

101.15(2) If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to this rule, the hearing and subsequent procedures shall be held pursuant to the process outlined in Iowa Code chapters 17A and 272C.

These rules are intended to implement Iowa Code chapters 17A, 147, 156 and 272C.

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